



# Communications Act 2003

## 2003 CHAPTER 21

### PART 2

#### NETWORKS, SERVICES AND THE RADIO SPECTRUM

### CHAPTER 1

#### ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES

#### *[<sup>F1</sup>Security of public electronic communications networks and services]*

#### **[<sup>F1</sup>105P Assessment notices: urgency statements**

- (1) This section applies where—
  - (a) an assessment notice is given under section 105O to the provider of a public electronic communications network or a public electronic communications service;
  - (b) the notice states that, in OFCOM's opinion, it is necessary for the provider to comply with a duty imposed by the notice urgently;
  - (c) the notice gives OFCOM's reasons for reaching that opinion; and
  - (d) the notice provides information about the right of the provider to make an application under section 105Q.
- (2) Subsections (8) and (9) of section 105O do not apply in relation to the duty mentioned in subsection (1)(b).
- (3) A time or period specified under subsection (7) of section 105O in relation to the duty mentioned in subsection (1)(b) must not be a time that falls or a period that begins before the end of the period of 14 days beginning with the day the notice is given.
- (4) In a case where—
  - (a) the duty mentioned in subsection (1)(b) is a duty to do something mentioned in section 105O(2)(d) to (k), and

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**Changes to legislation:** Communications Act 2003, Section 105P is up to date with all changes known to be in force on or before 11 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (b) within the period of 14 days beginning with the day the notice is given an appeal under section 192 is brought in respect of the notice or the provision of the notice that imposes the duty,  
the provider of the network or service need not comply with the duty pending the determination or withdrawal of the appeal.]

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**Textual Amendments**

**F1** Ss. 105N-105R inserted (1.10.2022) by Telecommunications (Security) Act 2021 (c. 31), ss. 6(2), 28(2)(b); S.I. 2022/931, reg. 2(b)

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2003/1900, art. 3(2) by [S.I. 2003/3142 art. 1\(3\)](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/1492 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/697 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 art. 4 Sch. 2 by [S.I. 2004/545 art. 2](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 124Q(7)(a) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 148A and cross-heading inserted by [2022 c. 46 s. 73\(2\)](#)
- s. 368E(5)(d)(e) inserted by [2017 c. 30 s. 94\(3\)](#)
- s. 402(2A)(za)(zb) inserted by [2022 c. 46 Sch. para. 2](#)
- Sch. 3A para. 21(6) inserted by [2022 c. 46 Sch. para. 3\(5\)\(b\)](#)
- Sch. 3A para. 37(3)(aza) inserted by [2022 c. 46 Sch. para. 3\(9\)](#)
- Sch. 3A para. 84(1)(aza) inserted by [2022 c. 46 Sch. para. 3\(10\)](#)
- Sch. 3A para. 103(1)(ca) inserted by [2022 c. 46 s. 70](#)
- Sch. 3A para. 119A inserted by [2022 c. 46 s. 72](#)
- Sch. 3A Pt. 4ZA inserted by [2022 c. 46 s. 67\(1\)](#)